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FISH & RICHARDSON P.C., P.A.

January 9, 2001

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JAN 12 2001

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Attorney Docket No.: 07039-129001

**Box CPA**

Commissioner for Patents  
Washington, DC 20231

This paper is a request for a continuation under 37 CFR §1.53(d) of:

Applicant: JENS PONIKAU

Title: METHODS AND MATERIALS FOR TREATING AND PREVENTING  
INFLAMMATION OF MUCOSAL TISSUE

Prior U.S. application no: 09/177,273

Filing Date: October 22, 1998

The prior application was complete as defined by 37 CFR §1.51(b), or was a national stage of an international application filed in compliance with 35 USC §371.

This request for a CPA is the reference to the prior application noted above as required by 35 USC §120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein.

This request includes 2 sheets.

Enclosures:

- Communication (1 page);
- Copy of the documents submitted on December 10, 1999, including:
  - (1) a copy of the transmittal letter (1 page);
  - (2) a copy of the Information Disclosure Statement (2 pages);
  - (3) a copy of the PTO-1449 (1 page);
  - (4) a copy of the foreign Search Report; and
  - (5) Returned Postcard.

02/20/2001 FPATTERS 00000003 061050 09177273

01 FC:203 459.00 CH  
02 FC:202 160.00 CH

01/12/2001 AWONDAF1 00000055 09177273

01 FC:231 355.00 OP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 734684135US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

January 9, 2001

Date of Deposit

Signature

Vince Defante

Typed or Printed Name of Person Signing Certificate

Commissioner for Patents  
January 9, 2001  
Page 2

- Small entity statement. This application is entitled to small entity status.
- Postcard.

The entire disclosure of the prior application is part of this application and is incorporated by reference.

Basic filing fee	\$355
Total claims in excess of 20 times \$9	\$0
Independent claims in excess of 3 times \$40	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$355

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (612) 335-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

MARK S. ELLINGER, PH.D.  
Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402

Respectfully submitted,



J. Patrick Finn III, Ph.D.  
Reg. No. 44,109  
Enclosures  
JXF/jyh  
60030212.doc

06-1050-10699



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jens Ponikau

Art Unit : 1614

Serial No. : 09/177,273

Examiner : Kevin Weddington

Filed : October 22, 1998

Title : METHODS AND MATERIALS FOR TREATING AND PREVENTING  
INFLAMMATION OF MUCOSAL TISSUE**RECEIVED**Commissioner for Patents  
Washington, D.C. 20231


JAN 12 2001

COMMUNICATION**TECH CENTER 1600/2900**

Applicant notes that an initialed copy of the 1449-PTO form submitted on December 10, 1999 has not been returned. Applicant respectfully requests a copy of this initialed 1449-PTO form. For the Examiner's convenience, a copy of the 1449-PTO form submitted December 10, 1999 is attached along with the accompanying documents. Copies of the references listed on the 1449-PTO form will be resubmitted upon request.

Applicant respectfully submits that previously allowed claims 1-7, 9-13, 16-20, and 51-104 remain in condition for allowance, which action is requested. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: January 9, 2001  
Patrick Finn III, Ph.D.  
Reg. No. 44,109Fish & Richardson P.C., P.A.  
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## CERTIFICATE OF MAILING BY EXPRESS MAIL

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January 9, 2001

Date of Deposit

Signature

  
Vince Defante

Typed or Printed Name of Person Signing Certificate



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PATENT

ATTORNEY DOCKET NO.: 07039/129001

The Patent and Trademark Office date stamp sets forth the date of receipt of:

Applicant or Patentee Jens Ponikau

No. (Application, Appeal, Interference, Patent, Reexam) 09/177, 223

Filing or Issue Date October 22, 1998

Title Methods and Materials... Inflammation of Mucosal Tissue

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|--|---|
| <input checked="" type="checkbox"/> [X] Transmittal Letter (\$ copies)                             | <input type="checkbox"/> [ ] With Pet. for Ext.                 |
| <input type="checkbox"/> [ ] Assignment  | <input type="checkbox"/> [ ] Status Inquiry                     |
| <input type="checkbox"/> [ ] Amendment/Response ____ Pages   | <input type="checkbox"/> [ ] Declaration                        |
| <input type="checkbox"/> [ ] Maintenance Fee   | <input type="checkbox"/> [ ] Request Certificate of Correction  |
| <input type="checkbox"/> [ ] Check \$ _____  | <input type="checkbox"/> [ ] Notice of Appeal                   |
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| <input checked="" type="checkbox"/> [X] Information Disclosure Statement <u>Suppl.</u>             |   |
| <input checked="" type="checkbox"/> [X] PTO 1449 Form - <u>1</u> Pages                             |   |
| <input checked="" type="checkbox"/> [X] Prior Art References - Number of References <u>9</u>       |   |
| <input type="checkbox"/> [ ] Drawings ____ Sheets Formal ____ Sheets Informal ____ Sheets Amended  |   |
| <input type="checkbox"/> [ ] Notice of Missing Parts   |   |
| <input type="checkbox"/> [ ] Combined Declaration and Power of Attorney                            |   |
| <input type="checkbox"/> [ ] Small Entity Statement  |   |
| <input checked="" type="checkbox"/> [X] Other <u>Copy of Foreign Communication (Search Report)</u> |   |

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Initials JXE/med

Client/  
Matter Name Mayo

Date 12/10/99

09177223-102298